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12 OrthoClear, Inc. and  
13 OrthoClear Holdings, Inc.

14  
15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18 ALIGN TECHNOLOGY, INC.,

19 Plaintiff,

20 v.

21 ORTHOCLEAR, INC. and  
22 ORTHOCLEAR HOLDINGS, INC.,

23 Defendant.

24 Case No. CV 05-2948 MMC

25 **[PROPOSED] SEALING ORDER RE**  
26 **GRANTING DEFENDANT**  
27 **ORTHOCLEAR, INC.'S**  
28 **ADMINISTRATIVE MOTION FOR**  
29 **LEAVE TO FILE CONFIDENTIAL**  
30 **DOCUMENTS UNDER SEAL PURSUANT**  
31 **TO CIVIL LOCAL RULE 79-5**

32 Hearing Date: August 18, 2006  
33 Time: 9:00 a.m.  
34 Courtroom: 7  
35 Judge: Hon. Maxine Chesney

1 Pursuant to Civil Local Rule 79-5 and the Protective Order previously entered in this  
2 action, it is HEREBY ORDERED that Defendant OrthoClear, Inc.'s Administrative Motion for  
3 Leave to File Confidential Documents Under Seal Pursuant to Civil Local Rule 79-5 is  
4 GRANTED.

5 As specified in Defendants' motion, the following documents are to be SEALED:

6 1. Exhibit 2 to the Declaration of Michelle L. Davidson in support of Defendant  
7 OrthoClear, Inc.'s Motion For Summary Judgment, dated July 14, 2006 (the "Davidson Summary  
8 Judgment Decl.") (document bearing Bates numbers OCTP0014273-341);

9 2. Exhibit 3 to the Davidson Summary Judgment Decl. (document bearing Bates  
10 number OCTP0013890);

11 3. Exhibit 9 to the Davidson Summary Judgment Decl. (Align's Supp. Resp. to  
12 OrthoClear's First Set of Interrogs.);

13 4. ~~Exhibit 10 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
14 Linda G. Alvarez, dated April 24, 2006);~~

15 5. Exhibit 11 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
16 Joe M. Breeland, dated April 26, 2006);

17 6. Exhibit 12 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
18 Brent Coles, dated April 27, 2006);

19 7. Exhibit 13 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
20 Craig Crawford, D.D.S., dated April 28, 2006);

21 8. Exhibit 15 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
22 Jack T. Guthrie, III, dated April 18, 2006);

23 9. Exhibit 16 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
24 Paul N. Kimball, dated March 27, 2006);

25 10. Exhibit 17 to the Davidson Summary Judgment Decl. (excerpts of  
26 deposition of Mitchell A. Krueger, dated April 20, 2006);

27 11. Exhibit 18 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
28

1 Scott L. O'Neil, dated April 27, 2006);  
2

3       12. Exhibit 19 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
4 David S. Thrower, March 28, 2006);  
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6       13. Exhibit 20 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
7 Greg R. Tomita, dated April 26, 2006);  
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9       14. Exhibit 21 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
10 Jeffrey B. Tunnell, dated April 19, 2006);  
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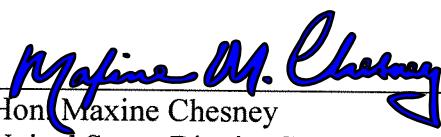
12       15. Exhibit 22 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
13 Keith Ryan Wolf, dated April 21, 2006);  
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15       16. Exhibit 23 to the Davidson Summary Judgment Decl. (excerpts of deposition of  
16 Barbara L. Woodbury, dated April 25, 2006); and  
17

18       17. The Memorandum of Points and Authorities in Support of Defendant OrthoClear,  
19 Inc.'s Motion For Summary Judgment, dated July 14, 2006.  
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21                  As to Exhibit 10 to the Davidson Summary Judgment Decl., defendant shall e-file such  
22 exhibit no later than August 4, 2006 if it wishes such exhibit to  
23       **IT IS SO ORDERED.**       be considered by the Court.  
24

25                  Dated: July 26, 2006  
26

27                    
28                  Hon. Maxine Chesney  
29                  United States District Court Judge  
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